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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,526	08/01/2000	Hidetoshi Hayashi	35.C14691	6108

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

SELBY, GEVELL V

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/630,526

Applicant(s)

HAYASHI ET AL.

Examiner

Gevell Selby

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11/10/04
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 10-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/11/04 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed 11/10/04 have been fully considered but they are not persuasive.

The applicants submit the Matoba reference do not disclose the limitation of claim 10, "wherein said scanning circuit and said decoder are arranged such that a signal is transmitted from said scanning circuit from said scanning circuit to said decoder causing said decoder to output the start pulse in response to the signal, after said scanning circuit completes the scanning for reading out the signal of said optical black portion." The Examiner respectfully disagrees.

### **Examiner's Response:**

The Matoba reference discloses a scanning circuit and a decoder combined in the vertical scanning decoder (204). The decoder outputs a start pulse ( $\phi_{in}$ ), as noted by the applicant. The pulse is outputted to the scanning circuit to start

scanning one of a plurality of blocks, in PAL mode the larger block from X2,Y2 - X5,Y5 is outputted and in NTSC mode, the smaller block from X3,Y3 - X4,Y4 is outputted (see column 13, line 64 to column 14, line 15). It is inherent that the scanning circuit part and the decoder part of the vertical scanning decoder are in communication wherein the scanning circuit part sends a signal to the decoder part when the optical black portion has been read out so that the decoder can relay the signal to start the operation of the first register of the PAL block or the NTSC block in the scanning circuit, depending on the mode.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Matoba et al., 1,450,129.**

In regard to claim 10, Matoba et al., 1,450,129, discloses an image pickup apparatus comprising:

a sensor portion (see figure 16, element 221) including a plurality of pixels (see column 13, lines 56-58);

an optical black portion (figure 16, column X1 - X2-1 and row Y1 - Y2-1) including a plurality of optical black pixels (see column 13, lines 60-64 and column 14, lines 4-5);

a scan circuit (see figure 16, elements 204) effecting scanning for reading out signals of said sensor portion (see column 14, lines 16-31); and

a decoder (see figure 16, element 204) for dividing said scanning circuit into a plurality of blocks (see column 13, line 64 to column 14, line 15: In PAL mode the larger block from X2,Y2 - X5,Y5 is outputted and in NTSC mode, the smaller block from X3,Y3 - X4,Y4 is outputted) and outputting a start pulse to said scanning circuit to cause scanning to start at a desired one of the plurality of blocks (see column 14, lines 16-31), wherein the scanning circuit and the decoder are arranged such that a signal is transmitted from said scanning circuit to said decoder causing said decoder output the start pulse in response to the signal, after said scanning circuit completes the scanning for reading out the signal of said optical black portion (see column 14, lines 15-31 and figure 17: The optical black portion is read out during the vertical blanking period and when the vertical blanking period is completed, a timing signal is sent to read out the vertical effective pixels; ). It is inherent that the scanning circuit part and the decoder part of the vertical scanning decoder are in communication wherein the scanning circuit part sends a signal to the decoder part when the optical black portion has been read out so that the decoder can relay the signal to start the operation of the first register of the PAL block or the NTSC block in the scanning circuit, depending on the mode)

In regard to claim 11, Matoba et al., 1,450,129, discloses the apparatus according to claim 10, wherein upon receiving a reset pulse, said scanning circuit stops scanning (column 12, lines 34-51).

In regard to claims 12 and 13, Matoba et al., 1,450,129, discloses the apparatus according to claims 10 and 11 respectively, further comprising:

a lens (see figure 28, element 310) for focusing light onto said sensor portion (see column 17, lines 43-47);

an A/D converter (see figure 28, element 324) for converting the signals from said sensor portion into digital signals (see column 18, lines 61-64); and

a digital signal processor (see figure 28, element 328) for processing a signal from said A/D converter (column 18, lines 61-67).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 703-305-8623. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2615

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs



TUAN HO  
PRIMARY EXAMINER